

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

UNITED STATES OF AMERICA

v.

ANGEL OCASIO

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Case No. EP-11-CR-2728-KC-1

UNOPPOSED¹ MOTION TO MODIFY CONDITIONS OF SUPERVISED RELEASE

Comes now ANGEL OCASIO, Defendant herein, by and through his attorney, Michael Gorman, and petitions this Honorable Court to modify the Conditions of Supervised Release previously set forth in this matter in order to permit non-reporting supervised release under the standard conditions applicable thereto. In support thereof, he would show as follows:

1. On January 1, 2014, Mr. Ocasio was sentenced to time served followed by 3 years of supervised release following his plea of guilty to transfer of obscene matter in violation of 18 U.S.C. § 1462.

2. Mr. Ocasio commenced his supervised release on the aforementioned date. His supervising probation officer, Karen Eisenberg, contacted undersigned counsel regarding his performance on supervised release. She reported he had been fully compliant with his conditions, had been screened by Norma Reed and found not to need continuing treatment, and was progressing well with stable employment. Undersigned counsel has been in contact with Mr. Ocasio recently, and he does appear to be doing very well since his sentencing date.

3. Ms. Eisenberg contacted undersigned counsel some time ago, but efforts to discuss this

¹The Government take no position on this Motion and leaves the matter discussed herein to this Court's discretion.

proposal with the assigned Assistant United States Attorney² has been challenging as they no longer are assigned to El Paso, either due to transfer or retirement. The matter was discussed with supervising Assistant United States Attorney Laura Franco Gregory, who replied by e-mail on February 8, 2016 that the Office would not oppose the present Motion.

4. At the recommendation of Ms. Eisenberg, this Court is respectfully asked to modify Mr. Ocasio's supervised release from reporting to non-reporting status. His good conduct over the past two years justifies the modification.

WHEREFORE, for the aforementioned reasons, Mr. Ocasio respectfully requests that the conditions of supervised release be modified from reporting to non-reporting status with the standard condition typically assigned to non-reporting supervised release.

Very truly yours,

MAUREEN SCOTT FRANCO
Federal Public Defender

_____/s/_____

MICHAEL GORMAN
Assistant Federal Public Defender
Western District of Texas
Federal Building
700 E. San Antonio, D-401
El Paso, Texas 79901
(915) 534-6525

Attorney for Defendant

²Senior members of the Office participated in a Motion to Suppress filed in the case. This reference is to the line AUSAs involved in the overall case management. These matters are typically addressed to the AUSAs, thus no disrespect was intended by the failure to address the question to those more senior members of the El Paso Division of the Office of the United States Attorney. It is respectfully believed this reflects the appropriate protocol for the request.

CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of February, 2016, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system. A copy of the present Motion will be forward by e-mail correspondence to AUSA Laura Franco Gregory, Office of the United States Attorney, Second Floor, Federal Building, 700 E. San Antonio, El Paso, Texas 79901.

_____/s/_____
MICHAEL GORMAN
Attorney for Defendant

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ORDER MODIFYING CONDITIONS OF SUPERVISED RELEASE

On this day the Court considered the present Unopposed Motion to Modify Conditions of Supervised Release. This Court is of the opinion that said Motion should be GRANTED.

The conditions of supervised release set forth in the Amended Judgment filed in this case dated January 9, 2014 are hereby amended to provide for the following:

1. The defendant shall be placed on non-reporting supervised release; and
2. Non-reporting supervised release shall be under the standard conditions applicable to such status, specifically the obligation to report contact with law enforcement and prohibition on the commission of any State or Federal criminal offense.

The term of supervised release established this Court's Judgment remain unchanged and in effect.

SO ORDERED.

SIGNED this ____ day of _____, 2016.

KATHLEEN CARDONE
UNITED STATES DISTRICT JUDGE